

# **BARNES & THORNBURG LLP**

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## ***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

<i>Customer No.</i>	23643	}
		}
<i>Group:</i>	3771	}
		}
<i>Confirmation No.:</i>	8532	}
		}
<i>Application No.:</i>	10/055,849	}
		}
<i>Invention:</i>	OSCILLATORY CHEST COMPRESSION DEVICE	}
		}
<i>Inventor:</i>	Nicholas P. Van Brunt, et al.	}
		}
<i>Filed:</i>	January 14, 2002	}
		}
<i>Attorney</i>		}
<i>Docket:</i>	7175-74108	}
		}
<i>Examiner:</i>	DeMille, Danton D.	}

### **REISSUE DECLARATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We, Nicholas P. Van Brunt and Donald J. Gagne declare that we are the named inventors of U.S. Patent No. 6,036,662 and that we believe the original patent (i.e., U.S. Patent No. 6,036,662) to be partly inoperative by reason of the patentee claiming less than the patentee had a right to claim in the patent.

The patentee claimed less than the patentee had a right to claim in U.S. Patent No. 6,036,662 for at least the following reasons: The patentee claimed less than the patentee had a right to claim by reciting, in original claim 1 of U.S. Patent No. 6,036, 662, for example, the phrase "a rod having a first end and a second end, the first end operably connected with the diaphragm, and the rod extending generally orthogonal to the diaphragm," and this phrase renders the patent partly inoperative because such phrase was not necessary for patentability as evidenced by reissue claim 45, for example, which omits such recitation.

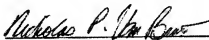
All errors in the present reissue application up to the time of signing of this declaration arose without any deceptive intention on our part.

We have reviewed and understand the contents of the specification and claims, as those claims currently stand up to and including the claims most recently amended in the Amendment filed by fax on March 3, 2004 and as indicated as allowed in the Office Action mailed February 13, 2007.

We believe ourselves to be the original and first inventors of the subject matter which is claimed and for which a reissue patent is sought.

We acknowledge our duty to disclose to the Patent and Trademark Office all information known to us to be material to patentability in accordance with 37 C.F.R. § 1.56.

We further declare that all statements made herein of our own knowledge are true and all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Nicholas P. Van Brunt  
a citizen of the United States of America

3-31-2007

Date

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